

REMARKS

The Office Action dated March 19, 2007, has been received and carefully noted.

The following remarks are submitted as a full and complete response thereto.

Claims 1-34 and 36-47 are pending in the application, of which claims 1, 24, and 49 are independent claims. Claims 1-34 and 36-47 are respectfully submitted for consideration.

Claims 1-4, 6-8, 10-34, and 36-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0108156 of Sumino et al. (“Sumino”) in view of U.S. Patent Application Publication No. 2003/0093545 of Liu et al. (“Liu”). Claims 5 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sumino and Liu and further in view of U.S. Patent Application Publication No. 2003/0216145 of Cox et al. (“Cox”). Applicant respectfully traverses both of these rejections because the primary cited reference, Sumino, is not proper prior art against the present application, and the rejections cannot stand without Sumino.

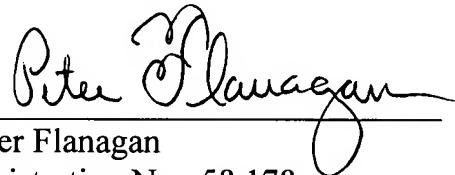
Sumino is not proper prior art against the present application. Sumino was PCT-filed March 25, 2003, but the international application was not published in English. Accordingly, Sumino is not available at all against any application under 35 U.S.C. 102(e), because it does not meet the requirements of that section. *See also*, MPEP 706.02(f)(1). Furthermore, Sumino was published after the filing date of the present application, and is, therefore, unavailable as prior art with respect to the present application under any other section of 35 U.S.C. 102.

Thus, Applicant respectfully requests that both of the rejections be withdrawn, since each requires the application of Sumino, and the rejections cannot stand without Sumino.

For the reasons set forth above, it is respectfully submitted that each of claims 1-34 and 36-47 recites subject matter that is neither disclosed nor suggested in the prior art. It is, therefore, respectfully requested that all of claims 1-34 and 36-47 be allowed and that this application be passed to issuance.

In the event this paper is not being timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosures: RCE Transmittal; IDS; PTO Form 1449; Cited References (3);
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